

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA,	)	NO. CR 15-579 EMC
	)	
Plaintiff,	)	<del>PROPOSED</del> DETENTION ORDER
	)	
v.	)	
	)	
REMIGIO MADRIGAL SOLORIO ,	)	
	)	
Defendant.	)	
	)	

On December 14, 2015, Defendant Remigio Madrigal Solorio was charged by federal indictment with conspiracy to distribute and possess with intent to distribute heroin and methamphetamine in violation of 21 U.S.C. § 846 and with distribution of and possession with intent to distribute heroin in violation of 21 U.S.C. § 841(a)(1). This matter came before the Court on December 22, 2015, for a detention hearing. Defendant was present and represented by court-appointed counsel John David Forsyth. Assistant United States Attorney Rita Lin appeared for the Government.

Pretrial Services submitted a report that recommended that Defendant be detained. A representative of Pretrial Services was present at the hearing. The Government moved for detention, and Defendant opposed. Proffers and arguments regarding detention were submitted by the parties at the hearing.

Upon consideration of the facts, proffers and arguments presented, and for the reasons stated on

1 the record, the Court finds by clear and convincing evidence that no condition or combination of  
2 conditions will reasonably assure the appearance of Defendant as required. Accordingly, Defendant  
3 must be detained pending trial in this matter.

4 The present order supplements the Court's findings and order at the detention hearing and serves  
5 as written findings of fact and a statement of reasons as required by 18 U.S.C. § 3142(i)(1). As noted on  
6 the record, the Court makes the following findings as a basis for its conclusion that no condition or  
7 combination of conditions will reasonably assure the appearance of Defendant as required. Defendant is  
8 present in the United States illegally, and has only been in the country for four months. The defendant  
9 has strong ties to Mexico, including his mother, siblings, and daughter, who all reside there. In addition,  
10 Defendant has proposed no viable sureties. The sole proposed sureties are a girlfriend and sister of a  
11 girlfriend, both of whom have only known the defendant a few months. The Court therefore concludes  
12 that no condition or combination of conditions will reasonably assure Defendant's appearance as  
13 required. These findings are made without prejudice to Defendant's right to seek review of his detention  
14 should new information arise.

15 Pursuant to 18 U.S.C. § 3142(i), IT IS ORDERED THAT:

16 1. Defendant be, and hereby is, committed to the custody of the Attorney General for  
17 confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving  
18 sentences or being held in custody pending appeal.

19 2. Defendant be afforded reasonable opportunity for private consultation with counsel; and

20 3. On order of a court of the United States or on request of an attorney for the government,  
21 the person in charge of the corrections facility in which Defendant is confined shall deliver Defendant to  
22 an authorized United States marshal for the purpose of any appearance in connection with a court  
23 proceeding.

24 IT SO ORDERED.

25  
26 DATED: December 23, 2015

  
Hon. Sallie Kim  
United States Magistrate Judge